

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY,

Debtor.

PROMESA
Title III

No. 17 BK 3567-LTS

(Jointly Administered)

Re: ECF No. 1249

**AAAF'S URGENT MOTION TO EXTEND ITS OBJECTION DEADLINE WITH
RESPECT TO THE THIRD AMENDED TITLE III PLAN OF THE PUERTO RICO
HIGHWAYS AND TRANSPORTATION AUTHORITY FILED BY THE OVERSIGHT
BOARD**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747), and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523 (LTS)) (Last Four Digits of Federal Tax ID: 3801).

To the Honorable United States District Judge Laura Taylor Swain:

AAFAF² respectfully submits this urgent motion for entry of an order, extending AAFAF's deadlines to file objections to plan confirmation and the proposed Confirmation Order (the "Objection Deadlines"), as set forth in the Court's *Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* (the "Scheduling Order") [ECF No. 1249], by one (1) day. In support hereof, AAFAF states as follows:

1. AAFAF and the Oversight Board are working on language to alleviate a concern AAFAF has with the Plan. Prior to the Plan-related Objection Deadline,³ the Oversight Board advised AAFAF it would not object to the timeliness of AAFAF's Plan objection by July 27 at 5:00 pm (AST). Given current outstanding issues between the Oversight Board and AAFAF, AAFAF believes that filing its objection to Plan confirmation or to the proposed Confirmation Order at this time would be detrimental to the overall Plan process.

2. AAFAF believes that a brief extension of the Plan Objection deadline and an extension of the Confirmation Order deadline is warranted and the best path forward for the ultimate resolution of these cases.

3. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [Case No. 17-3283, ECF No. 20190-1], AAFAF certifies it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the *Third Amended Title III Plan of Adjustment of the Puerto Rico Highways and Transportation Authority* (the "Plan") [ECF No. 1240].

³ The Scheduling Order sets July 27, 2022 as the deadline to file objections to the Plan and the Oversight Board's proposed Confirmation Order.

the matter without a hearing; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and the Oversight Board affirmatively consents to the relief requested herein.

4. AAFAF reserves all of its rights with respect to the proposed Confirmation Order and the Plan, including AAFAF's right to address any unresolved issues with respect to the proposed Confirmation Order and the Plan at the Confirmation Hearing, if necessary.

WHEREFORE, AAFAF requests the Court enter an order extending AAFAF's Objection Deadlines by July 28, 2022 at 5:00 pm (AST) and grant such other relief as is just and proper.

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Dated: July 27, 2022
San Juan, Puerto Rico

Respectfully submitted,

O'MELVENY & MYERS LLP

/s/John J. Rapisardi

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